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REMARKS

The present response is intended to be fully responsive to all points of objection and/or rejection raised by the Examiner and is believed to place the application in condition for allowance. Applicants assert that the present invention is new, non-obvious and useful. Prompt consideration and allowance of the claims is respectfully requested.

Status of Claims

Claims 40, 41, 43-49, 51, 54-59, 61-67 and 70-74 are pending and have been rejected.

CLAIM REJECTIONS

35 U.S.C. § 112 Rejections

In the Office Action, the Examiner rejected claim 51 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner has alleged that claim 48, from which claim 51 depends, recites that one beacon generates both beams from the same position while claim 51 recites that the one beacon is now two beacons which each emit one beam of the claimed two beams. The Examiner has stated that it is not known how the system can go from one beacon emitting two beams to having two beacons each emitting a single beam.

Applicants respectfully traverse. Claim 48 recites: "comprising at least one off board beacon for generating said two beams", and claim 51 recites: "wherein said at least one beacon comprises two beacons each for generating a beam of said at least two beams". The structure recited in claim 51 is a sub-set of the structure recited in claim 48. Claim 48 recites at least one [off board] beacon for generating said two beams, and claim 51 recites that the at least one beacon equals two beacons and further that each of the two beams is generated by one of the two beacons. Therefore applicants assert that claim 51 is proper under 35 U.S.C. § 112, second paragraph. Accordingly, the Examiner is respectfully requested to withdraw this rejection.

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35 U.S.C. § 103 Rejections

In the Office Action, the Examiner rejected claims 40, 41, 43-49, 51, 54-56, 59, 61-67 and 70-72 under 35 U.S.C. § 103(a), as being unpatentable over Bouzitat et al. (US Patent No. 2,677,820) in view of Alvarez et al. (US Patent No. 2,555,101).

Applicants respectfully traverse the rejection of claims 40, 41, 43-49, 51, 54-56, 59, 61-67 and 70-72 under 35 U.S.C. § 103(a), as being unpatentable over Bouzitat et al. in view of Alvarez et al.

Independent Claim 40 recites: "two beams that scan across at least a sector of interest in opposite directions and that are synchronized with each-other so as to substantially overlap in the direction of the predetermined path" (emphasis added). Applicants assert that neither Bouzitat nor Alvarez, alone or in combination, teaches or suggests the recited feature of independent claim 40.

The Examiner does not assert that Bouzitat teaches or suggests the recited feature of claim 40.

Alvarez discloses: "the two antennas are caused to sweep 90 degrees out of phase with each other. In other words, the horizontally oscillating azimuth antenna is crossing the mid-point of its oscillation when the vertically oscillating elevation antenna is at one of its extreme positions ..." (Alvarez, Col. 9, lines 13-19). Hence, Alvarez not only fails to teach or suggest the recited feature of claim 40, but rather it teaches away from this feature of claim 40 recited above and, therefore, cannot cure the deficiencies of Bouzitat. Thus, claim 40 is allowable over the cited prior art.

Independent claim 59 recites: "using two beams sweeping across at least a sector of interest in opposite directions and being synchronized so as to substantially overlap in the direction of the predetermined path" (emphasis added). The arguments raised above with respect to independent claim 40 are fully applicable to independent claim 59. Hence, Alvarez not only fails to teach or suggest the recited feature of claim 59, but rather it teaches away from this feature of claim 59 recited above and, therefore, cannot cure the deficiencies of Bouzitat. Thus, independent claim 59 is also allowable over the cited prior art.

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Applicants respectfully assert that independent claims 40 and 59 are allowable. Claims 41, 43-49, 51, 54-56, and claims 61-67 and 70-72 depend, directly or indirectly, from independent claims 40 and 59, respectively, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims 41, 43-49, 51, 54-56, and claims 61-67 and 70-72 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to independent claims 40 and 59 and to claims 41, 43-49, 51, 54-56, and claims 61-67 and 70-72 dependent thereon.

In the Office Action, the Examiner rejected claims 57-58 and 73-74 under 35 U.S.C. § 103(a), as being unpatentable over Bouzitat et al. in view of Alvarez et al. and further in view of Dyke (US Patent No. 4,700,301).

Applicants respectfully traverse the rejection of claims 57-58 and 73-74 under 35 U.S.C. § 103(a), as being unpatentable over Bouzitat et al. in view of Alvarez et al. and further in view of Dyke.

Claims 57-59 depend, directly or indirectly, from independent claim 40. Claims 73-74 depend, directly or indirectly, from independent claim 59. The allowability of independent claims 40 and 59 over Bouzitat in view of Alvarez has been discussed above and is applicable also here. Dyke fails to cure the deficiencies of Bouzitat and the Alvarez, and the Examiner does not suggest that Dyke discloses "using two beams sweeping across at least a sector of interest in opposite directions and being synchronized so as to substantially overlap in the direction of the predetermined path" (emphasis added), as recited in independent claims 40 and 59. Therefore independent claims 40 and 59 are allowable over Bouzitat in view of Alvarez and further in view of Dyke.

Claims 57-58 and 73-74 depend, directly or indirectly, from independent claims 40 and 59, and therefore include all the limitations of those claims. Therefore, Applicants respectfully assert that claims 57-58 and 73-74 are likewise allowable. Accordingly, Applicants respectfully request that the Examiner withdraw the rejections to 57-58 and 73-74 dependent from independent claims 40 and 59, respectively.

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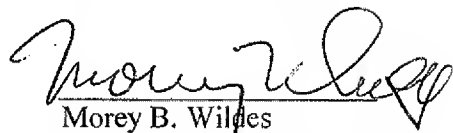
Conclusion

In view of the foregoing amendments and remarks, Applicants assert that the pending claims are allowable. Their favorable reconsideration and allowance is respectfully requested.

Should the Examiner have any question or comment as to the form, content or entry of this Amendment, the Examiner is requested to contact the undersigned at the telephone number below. Similarly, if there are any further issues yet to be resolved to advance the prosecution of this application to issue, the Examiner is requested to telephone the undersigned counsel.

Please charge any fees associated with this paper to deposit account No. 50-3355.

Respectfully submitted,


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